

Training Manual

Courtesy of

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South Dakota Secretary of State

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admin.dakotafastfile@state.sd.us

Home Page: https://www.sdsos.gov/ucc.htm

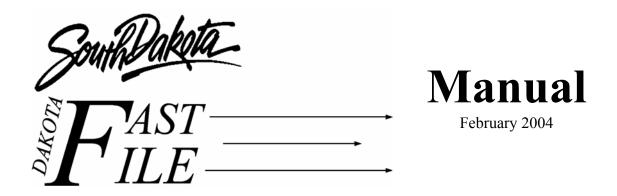
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Welcome to South Dakota's Dakota Fast File program.

Introduction to Dakota Fast File

This booklet serves as a guide to file documents under the Uniform Commercial Code (UCC) in South Dakota and also to file Effective Financing Statements (EFS) as notification under the Federal Food Security Act. Please feel free to contact our office if you have any questions or comments, or if we can be of service to you.

In 1987, South Dakota adopted the Central Filing System.

The Federal Food Security Act of 1985, which was passed by the United States Congress, gave the states an option to choose either of two plans to notify

purchasers of farm products of an existing security interest: a central filing system or prenotification. The 1987 South Dakota Legislature passed a law to allow implementation of a central filing system. If farm products are filed only under the UCC and not as an EFS, they are not reported on the central filing list which is distributed to buyers of farm products. The EFS portion must be completed to be included on the notification list.

All legal questions should be addressed by your attorney.

Using this manual

This manual was devised as a training manual for filing Uniform Commercial Code documents with the South Dakota Secretary of State's office. If you have any questions, feel free to call the UCC division.

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Uniform Commercial Code (UCC)

General Information on Dakota Fast File

The Uniform Commercial Code (UCC) is a compilation of statutes designed to perfect commercial transactions and to promote uniformity among various filing jurisdictions. Notwithstanding their complexities, commercial transactions basically involve the sale of and purchase of goods.

Dakota Fast File has an audit trail that is limited to the Secretary of State's administrative staff. The audit trail shows which registrant and terminal was used and who the user signed on as. It is important, for security reasons that each person, entering data for your agency, have his/her own user name and password

Filing financial statements for public record

Under the Uniform Commercial code, financing statements are filed to make a public record of secured transactions between a debtor and a secured party. The financing statements are extremely important in establishing priority among creditors in judicial proceedings, including bankruptcy, to determine rights of conflicting creditors. Therefore, the fundamental objective of the UCC is to provide measures to protect the debtor and the secured party by filing a financing statement in the proper jurisdiction under uniform provisions.

South Dakota is one of 50 states, plus the District of Columbia that has adopted the Code. The Code became effective in South Dakota on July 1, 1967. Title 57A of the

Uniform Commercial Code has been adopted by 50 states and Washington DC.

South Dakota Codified Laws (SDCL) contains the statutes known as the Uniform Commercial Code. <u>SDCL 57A-9</u> is the Uniform Commercial Code – Secured Transactions.

When the collateral is timber to be cut or is minerals or the like (including oil and gas) or accounts subject to subsection (6) of § 57A-9-102, or when the financing statement is filed as a fixture filing (§ 57A-9-334) and the collateral is goods which are or are to become fixtures, then the UCC would be filed in the office where a mortgage on the real estate concerned would be filed or recorded.

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In all other cases, financing statements are to be filed with the Office of the Secretary of State. Common examples of types of collateral filed with the Secretary of State include accounts, equipment, inventories, farm products, crops, consumer goods, equipment used in farming operations, etc.

You will use this training manual to access the *Dakota Fast File* program for filing Uniform Commercial Code (UCC) 1 and 3 documents, conducting searches including certified searches, and searching your own tickler system to find all of your UCC filings, including any that need to be continued in the next six months. This program enables you to complete all of your UCC filings quickly and accurately. You will also save postage and employee time.

With Dakota Fast File, the institution will have immediate access to the original filing. In order to receive a copy of an original paper UCC filing made in the Secretary of State's office, an institution must request a copy of the microfilmed original. With Dakota Fast File, the document will be immediately accessible through the computer in your office.

Minimum requirements for Dakota Fast File

The minimum requirements for the program are Netscape 6.0 or higher or Internet Explorer 5.5 or higher. The program will work with any platform, such as Windows, Mac, and Unix.

Questions answered

If you have any questions, please contact the Secretary of State UCC Division:

UCC Division

Office of Secretary of State 500 E Capitol Avenue Pierre SD 57501

Phone: 605-773-5006 • Fax: 605-773-4550

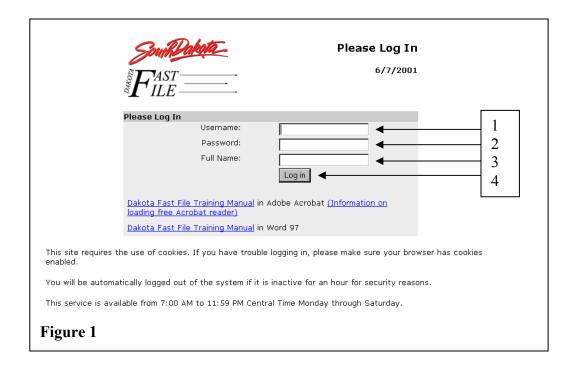
General Email: dakotafastfile@state.sd.us

Administrative Email (Pad Accounts, Registration):

admin.dakotafastfile@state.sd.us

Home Page: https://www.sdsos.gov/ucc.htm

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Access to Log In Screen

Pictured above is the Dakota Fast File **Log In** Screen. It is accessed through https://www.state.sd.us/sos/ucc.htm.

You must be a subscriber to use this system. The

Subscription Form

Subscription Form is located at https://www.state.sd.us/sos/ucc/Dakota Fast File.htm

Enter Username, Password, Full Name -

- 1. **User Name** If you do not have a Password or Username you must contact Shelley Pitlick at the Secretary of State's Office at 605-773-5006 before using the system. The Password and Username are not case sensitive. Both will be assigned by the South Dakota Secretary of State's office. The User Name will be your name abbreviated as needed.
- 2. **Password** The password name cannot be more than 20 letters and numbers, with no spaces or special characters. You may suggest a password.
- 3. Full Name The Full Name is the actual name of the person using the program. It includes your first and last name and middle initial if desired. It is

your actual name and is entered with upper and lower case and spaces between the first and last names. Example: John J. Jones.

4. Then click Log In ←

Note: This site requires the use of cookies. If you have trouble logging in, make sure your browser has cookies enabled. See the next page for instructions.

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Enabling Cookies

Steps for enabling cookies in various browsers

Internet Explorer 6

- 1. Open Internet Options (Tools -> Internet Options)
- 2. Click the 'Privacy' tab
- 3. Move the slider to select a privacy setting for the internet zone.
- 4. Select Medium
- 5. Click 'Ok'
- 6. Restart the browser

Netscape 6

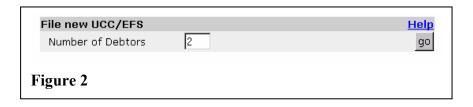
- 1. Click 'Edit -> Preferences'
- 2. Click the arrow next to 'Privacy & Security'
- 3. Click on 'Cookies'
- 4. In the 'Cookies' panel, click on 'Enable all cookies'
- 5. Hit OK
- 6. Restart the browser





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Error Message * Your account currently has \$200.00.



WARNING: Error Message * Your account currently has \$200.00.

If you have less than \$200 in your account, there will be an error message in red with an asterisk above and to the left of the File new UCC/EFS as pictured above. You will need to contact the UCC Division, Secretary of State's Office at 605-773-5009 to deposit money into your account by credit card or mail a check to the UCC Division, Secretary of State Office, 500 E. Capitol Ave., Pierre SD 57501.

WARNING: If you enter the information for a filing and there is not enough money in your account, the filing will be lost and you will need to start again. You will also see the amount in your account on each receipt.

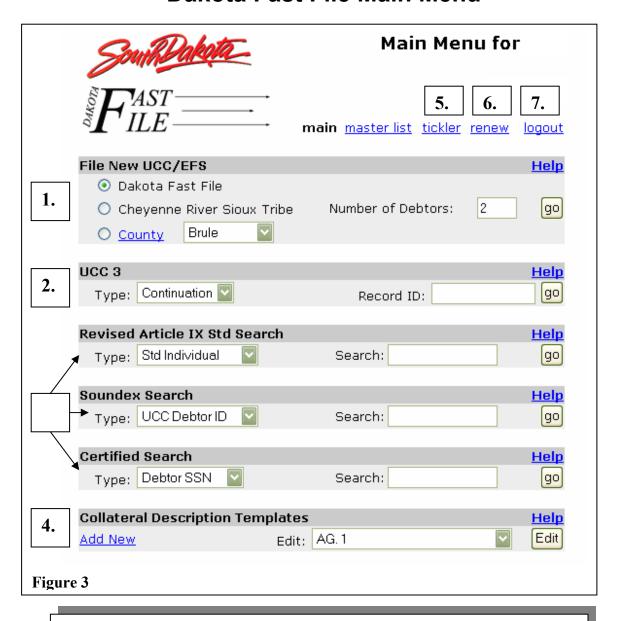
Security concerns

For **security** reasons, you will be **automatically logged out of the system** if it is inactive for 4 hours. Also, for security reasons, remember to **logout** when you leave your desk. You may be logged into an **unlimited amount of sessions** at the same time in order to work on various filings simultaneously.

Dakota Fast File is available 24 hours a day 7 days a week.

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Dakota Fast File Main Menu



From this site link to all areas of Dakota Fast File to -

- 1. File a new UCC or UCC/EFS Default is 2 debtors.
- 2. File a UCC3 (Continuation, Amendment, Assignment, Termination)
- 3. Conduct a UCC2 (Search)
- 4. Add a new Collateral Description Template or edit an existing template
- 5. Search the Tickler System for your filings
- 6. Renew a subscription
- 7. Logout

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Searches

Probably one of the first features of Dakota Fast File you will use will be the **Search** feature. For that reason we are going to step you through the **Search** procedure now, before detailing how to file UCC documents.

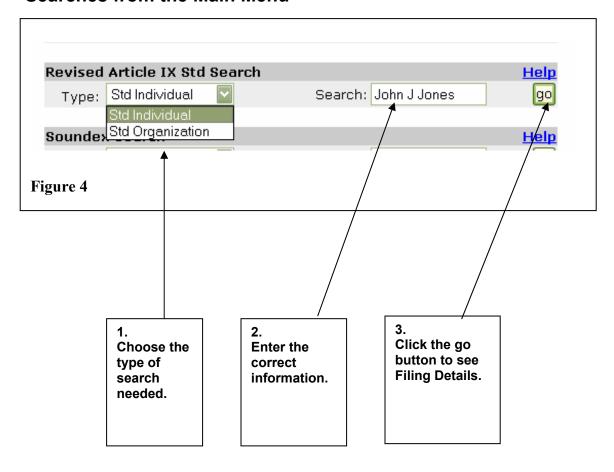
Searches may be conducted from the Main Menu by entering the *Document History*, *Document ID*, *UCC Debtor ID*, *EFS Debtor ID*, *Name*, *Company Name*, *Std Individual or Std Organization*. You may conduct a simple search free of charge anytime, and receive **Filing Details**.

Two types of searches:

- 1. No charge request for a filing details page.
- 2. UCC2 Certified Search with fee.

However, there is a charge for a UCC2 Certified Search. You will note many places in Dakota Fast File where you may request a UCC2 Certified Search. Click on the link and start the process for a UCC2 / Certified Search at any of those locations.

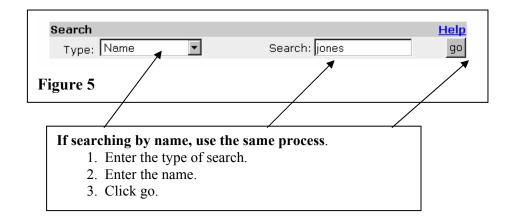
Searches from the Main Menu



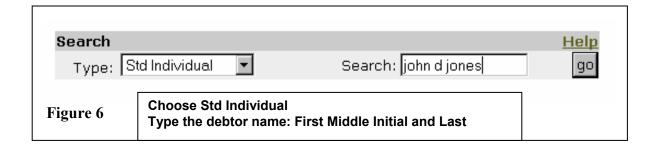
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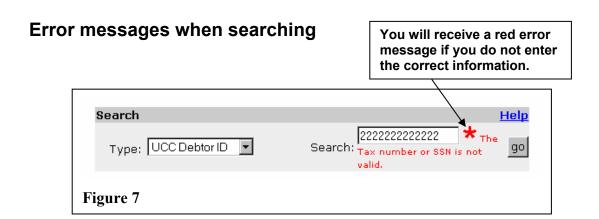
Searching by name from the Main Menu

Using Soundex



Using Standard Search Logic

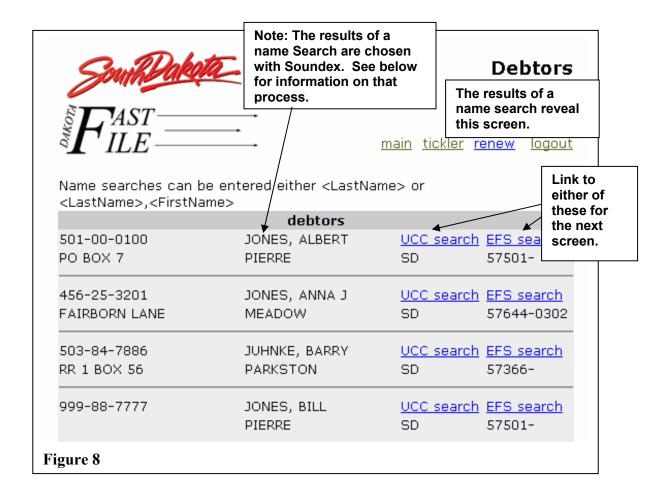




When you receive an error message you will need to click the computer's Internet back arrow at the top left of your screen to return to the former screen or enter the correct information and press Continue.

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Using Soundex to search by name



Soundex

Soundex was established by the National Archives to index the U.S. censuses. It codes together surnames that sound similar but have different spellings. Soundex codes begin with the first letter of the surname followed by a three-digit code that represents the first three remaining consonants. That is why when you ask for Jones, you also get Juhnke. Both start with J and sound like 'juh'.

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Using Standard Search Logic to search by Standard Individual



Search results are produced by the application of standardized search logic to the name presented to the filing officer. The following apply to searches:

There is no limit to the number of matches that may be returned in response to the search criteria;

No distinction is made between upper and lower case letters;

Punctuation marks and accents are disregarded; and

Words and abbreviations at the end of a name that indicate the existence or nature of an organization as set forth in the Ending Noise Words.

The word "the" at the beginning of the search criteria is disregarded;

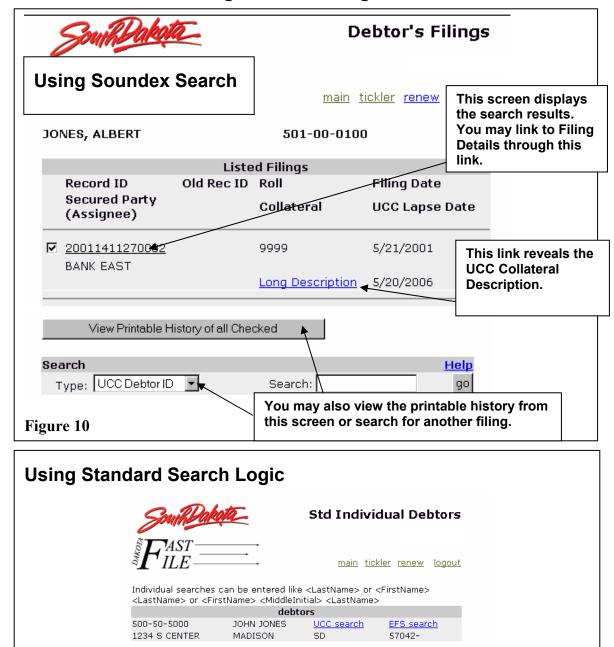
All spaces are disregarded;

For first and middle names of individuals, initials are treated as the logical equivalent of each name that begin with such initial, and first name and no middle name or initial is equated with all middle names and initials. For example, a search request for "John A. Smith" shall cause the search to retrieve each filing against each individual debtor with "John" or the initial "J" as the first name, "Smith" as the last name, and with the initial "A" or any name beginning with the letter "A" in the middle name field. If the search request were for "John Smith" (first and last names with no designation in the middle name field), the search shall retrieve each filing against individual debtor with "John" or the initial "J" as the first name, "Smith" as the last name and with any name or initial or no name or initial in the middle name field; and

After using the preceding rules to modify the name to be searched the search shall reveal only the name of each debtor that is contained in unlapsed financing statements and, exactly match the name requested, as modified.

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Search Results showing Debtor's Filings



Debtor's Filings

Figure 11

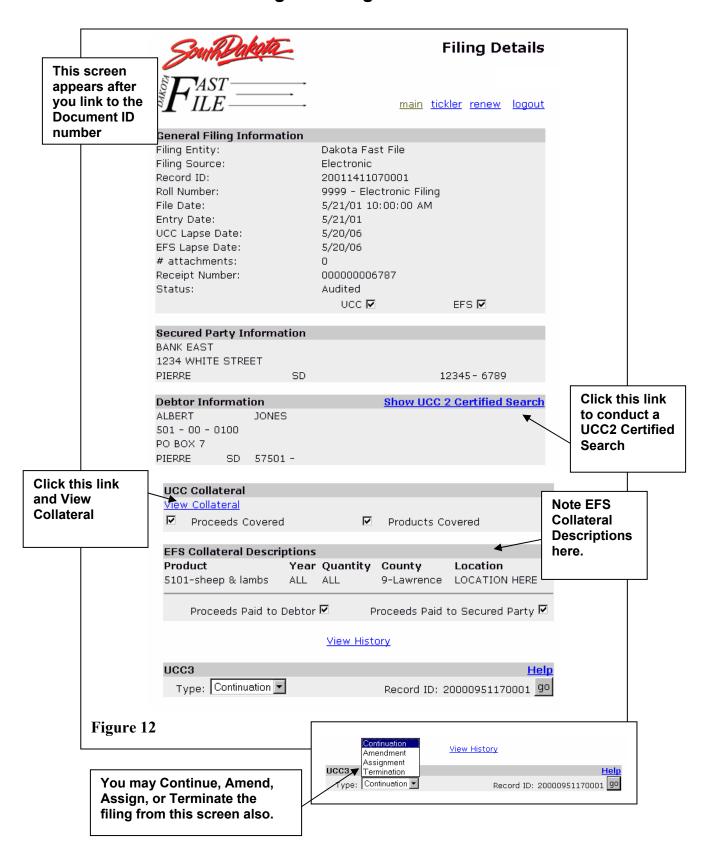
Type: UCC Debtor ID

This screen may give you the information you need or may be only a stepping stone to getting more information. From this screen you can conduct another search or link to the various locations to receive more information.

Search:

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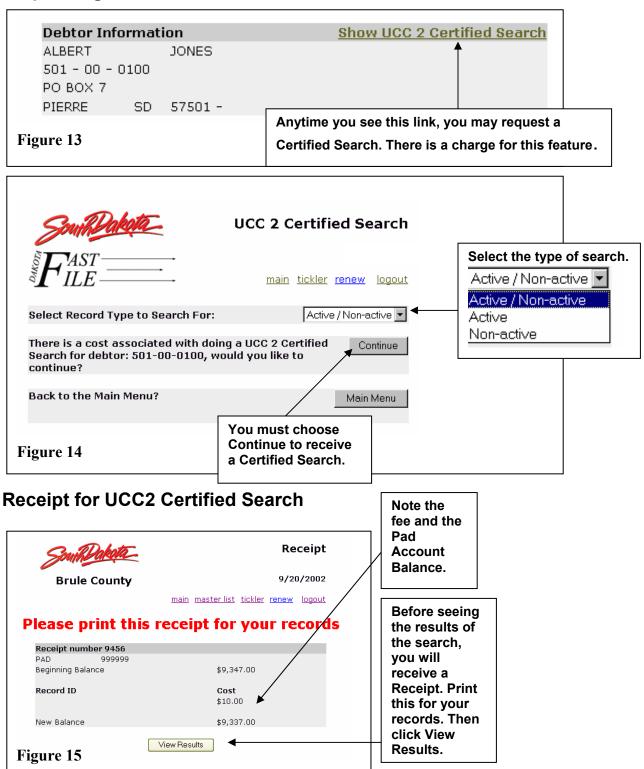
Search results showing the Filing Details



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UCC2 Certified Search

Requesting a UCC2 Certified Search

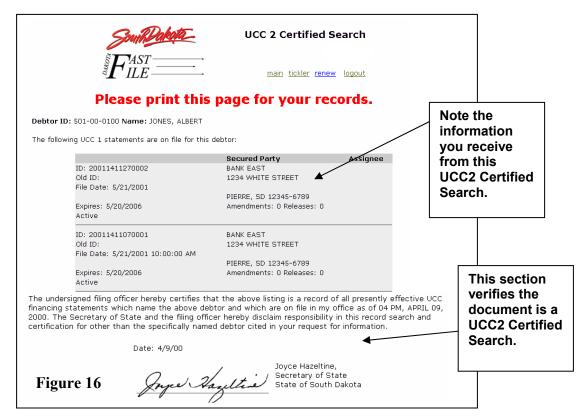


Print the receipt and attach it to the UCC2 Certified Search for your records.

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Viewing a UCC2 Certified Search

Your UCC2 Certified Search Results will be similar to this screen. **PRINT THIS DOCUMENT FOR YOUR RECORDS.**

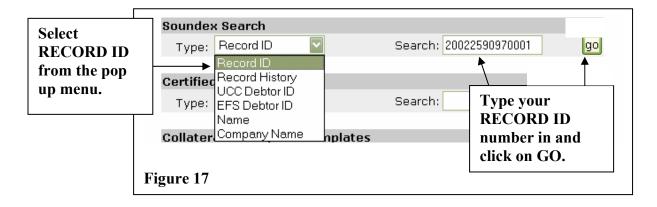


UCC2 Certified Search Results

During a UCC2 Certified Search, all Secretary of State UCC documents are searched, including documents from Dakota Fast File and paper filings.

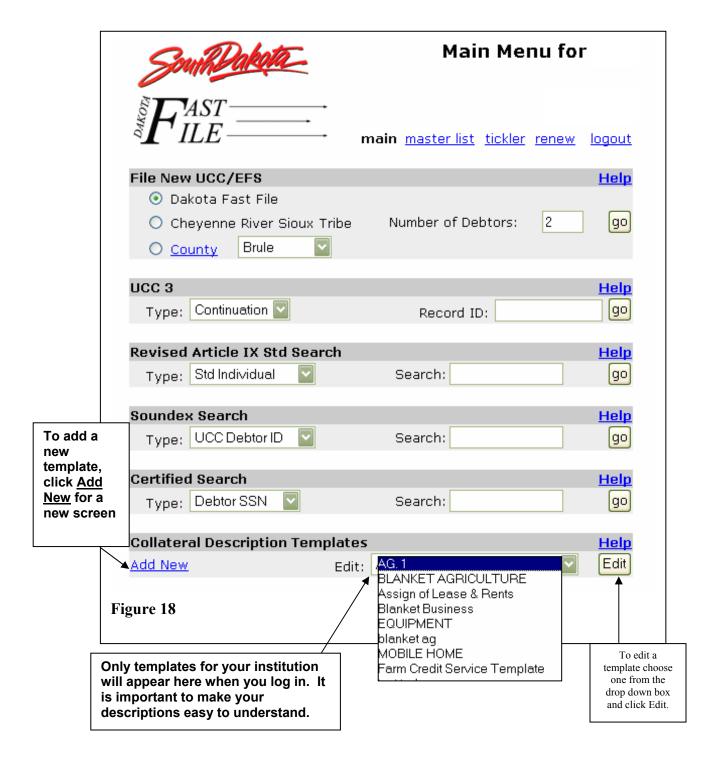
Searching for a Record ID

After 1-2 days you will need to perform a search on the filing to get the county recording information. To perform a search on the Record ID you will need to go to the Main Menu and perform a Soundex Search for the Record ID.



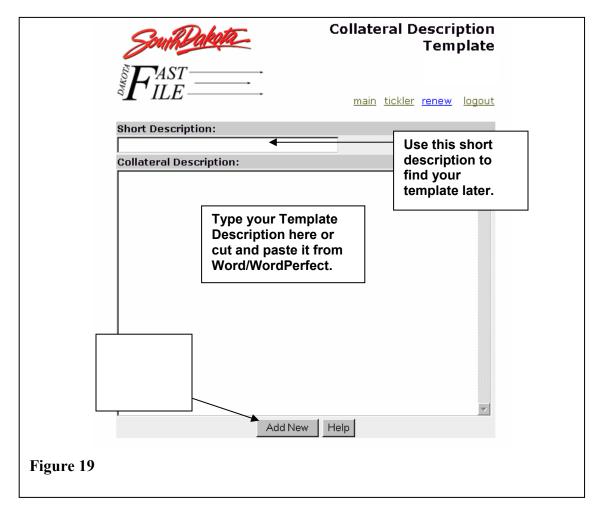
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Collateral and Collateral Templates



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Multiple Collateral Description Templates



This area of Dakota Fast File is designed to allow you to enter **Multiple Collateral Description Templates.** These templates are customizable. You may edit or change them as you wish. The templates entered by you are only available to your institution. You will not see templates entered by other Dakota Fast File institutions. Any changes to your templates will not affect any prior filings. You may add template details by opening the

We recommend you set up several Collateral Description Templates before filing UCC documents with Dakota Fast File.

existing file in Word and copying and pasting the data to the template area. This will save typing time.



To **Add** a template to the system, select the **Add New** link.



To **Edit** an existing collateral description, select the description from the list and click Edit. The screen will display the description and information for the selected Collateral Template.

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Adding Collateral Templates

It is not necessary to use a template in Dakota Fast File, but it may save time. Both the **Short Description and the Collateral Description sections are required** prior to saving the template. Be sure to be descriptive in the Short Description, because this is the name that will be displayed in the drop-down box when you need to find the template.

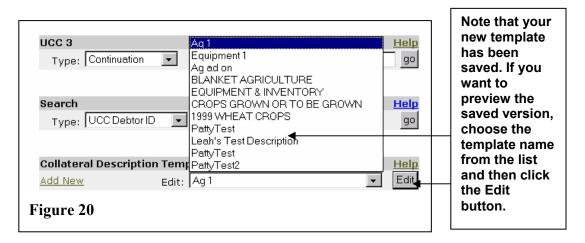
Collateral Descriptions may be long and detailed, so you may want to copy the information from a word processing document you have already prepared. If you have the

Collateral Description in Word or WordPerfect, open the existing document and *Select All* of the desired text. Select text by clicking and dragging the mouse through text. To *Select All* in Word hold down the **CONTROL** key and press the **A** (all) key. You may also *Select All* with the tool bar, using Edit and then *Select All*. To select with your

CTRL-A - Select All CTRL-C - Copy CTRL-V - Paste ALT,TAB-Jump to different program

mouse, drag the mouse over the section you want to copy. Once you have highlighted the text, hold down the **Control** key and press **C**. This will copy the text into the computer's buffer. Then switch back to the Collateral Description screen. You may use **ALT**, **TAB** to move to between programs. Then click your mouse in the text area box. Now hold down the **CONTROL** key and press the **V** key to paste the text. You may edit the text now. To **Save** the new template, click the **Add New** button.

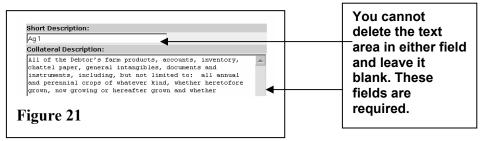
At this point, the template is saved and you are moved to the Main Menu. There is no message to let you know that your template is saved. You may want to go to the Collateral Description Template area and view the template list.



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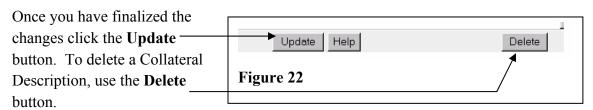
Editing Collateral Templates

The Collateral Description template you have selected to Edit will not change any previously stored descriptions on any documents stored in the system. You can change either the Short Description or the Collateral Description text.



If you have the **Collateral Description** in a **Word or WordPerfect document**, open the existing document in Word/WordPerfect and select all of the desired text. Select text by clicking and dragging the mouse through text. Once you have highlighted or selected the text, hold down the **CONTROL** key and press **C**. This will copy the text into the computer's buffer area. Next switch back to the Collateral Description screen by holding down the **ALT** key and pressing **TAB** and clicking in the text area box. Now hold down the **CONTROL** key and press the **V** key; this will paste the text into the area. If you choose only to view the template, but not to edit it, you must still click **Update** or move back with your browser Back button to continue the filing process.

Deleting Collateral Template



After editing or deleting the template you are moved to the **Main Menu**. There is no message to let you know that your template is updated or deleted. You may want to go to the Collateral Description Template area and preview the updated template or check the list of templates to see if it was deleted.

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Sample Collateral Descriptions

Following are two samples of collateral descriptions.

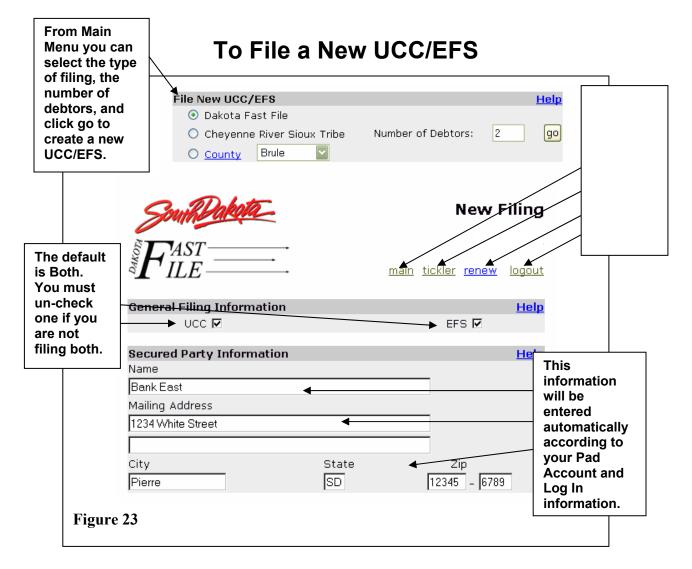
SAMPLE 1: All of Debtor's farm products, accounts, inventory, chattel paper, general intangibles, documents and instruments, including, but not limited to: all annual and perennial crops of whatever kind, whether heretofore grown, now growing or hereafter grown and whether heretofore grown, now growing or hereafter grown and whether harvested or unharvested (including, but not limited to corn, soybeans, wheat, alfalfa, milo, rice, cotton and sunflowers), all products of such crops in their unmanufactured states and all warehouse receipts or other documents (negotiable or non-negotiable) issued for storage of such crops; all feed, seed, chemicals, fertilizer and other supplies; and all entitlements and payments (whether in cash or in kind) arising under governmental agricultural subsidy, deficiency, diversion, disaster, conservation, or similar or related programs; all crop insurance payments and indemnities; all rebate and patronage dividends.

SAMPLE 2: All of such Collateral described in subparagraphs (a), (b), and /or (c) is collectively referred to in this Agreement as the "Collateral". Collateral shall also include all additions, replacements, increases, issues, attachments, repairs and substitutions of, to and for all of the Collateral, and all accessories, accessions, parts and equipment now or hereafter affixed thereto or used in connection therewith and the proceeds (including, but not limited to, insurance proceeds) and products from all such Collateral. Collateral shall include items described above, wherever located, whether now or hereafter acquired, and whether now existing or hereafter arising. The grant of a security interest in proceeds shall not be construed to mean that Secured Party consents to any sale or other disposition of the Collateral. This security agreement covers crops now growing. This security agreement also covers future crops to be grown in current year or any year hereafter.

WARNING: When you insert a template into the Collateral Description of your UCC filing, it overrides all other information in that section. You may make corrections or additions after you have inserted a template, but you may not use two templates at the same time. For that reason, you may want to prepare several possible templates.

Now that you have completed your **Collateral Description Templates** you are ready to file a UCC/EFS document.

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File New UCC/EFS

Under the File New UCC/EFS you can select the type of filing and number of debtors. Dakota Fast File is the default. Filings for Cheyenne River Sioux Tribe should click on the circle next to Cheyenne River Sioux Tribe. County filings should click the circle next to County and select the county name from the drop down box.

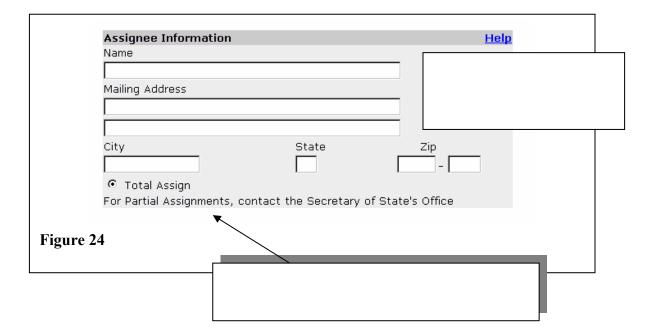
General Information

Under the **General Filing Information** note that both UCC and EFS are checked. This is the default setting. You will need to un-check one if that is your choice.

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Secured Party Information

Secured Party Information is automatically entered according to what you have registered with the Secretary of State's Office. In order to change this information you will need to contact the Secretary of State's Office. If you change your Secured Party Information it will not change previously filed documents, except by completing an amendment on each previously filed document. We have taken the liberty to pre-populate your information into the Secured Party area. You have the ability to change any and all information in this section. If you would like to change your information permanently, you need to contact the Secretary of States Office directly and they will be able to assist you. (admin.dakotafastfile@state.sd.us or 605-773-5006)



Assignee Information

If all of the collateral is to be assigned, and list the name and address of the assignee in the appropriate space. During a New Filing it is possible to make an assignment immediately. Should you decide to make an Assignment, all fields are required.

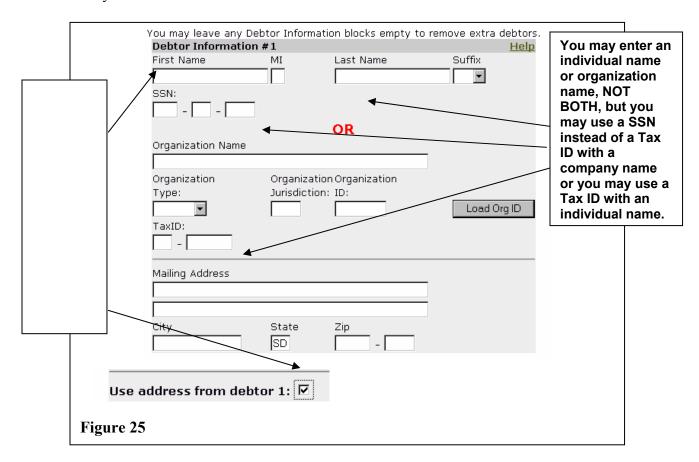
Assignment

Partial Assignments are not available for UCC1 documents. To complete a **Partial Assignment for a UCC3**, you must file via paper recorded in the Secretary of State office.

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Debtor Information

The number of debtors listed in the input box on the main screen, enables you to determine in advance the number of debtor information you will be entering on this screen. You will not be held to this particular number of debtors because you will have the ability to add more or leave the additional debtor information blank if not needed.

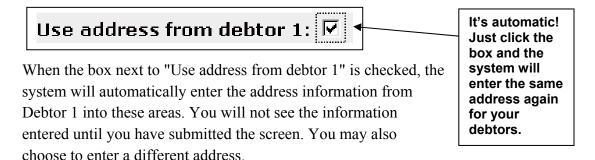


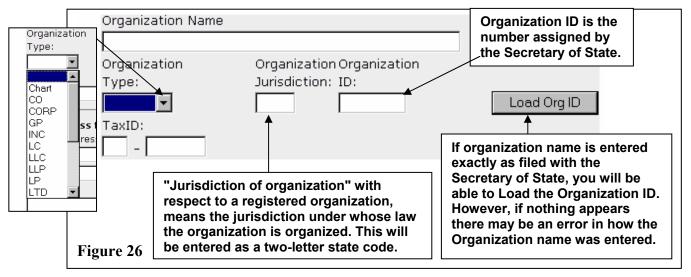
Enter all information needed and verify all information for accuracy and correct spelling. Information will be entered and any error in the debtor's name, social security number, taxpayer ID number or EFS codes will result in reporting errors. Complete the debtor's proper given name, complete address and social security number. If the debtor is a

The debtor's proper name should be listed exactly the same on all filings.

partnership, corporation, tradename, etc., the IRS Taxpayer ID number, type of organization, jurisdiction of organization, and organizational ID number, must also be listed.

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In filling in the **Debtor section**, you are required to input either the debtor's name along with a Social Security number *or* enter an Organization Name into the organization field, the organization's Tax ID number or the owner's Social Security Number, type of organization, jurisdiction of organization, and organizational ID number. Please take care in entering this information as the system has no way to verify their accuracy. **You can search for the organization information on the Secretary of States corporate lookup website** www.state.sd.us/applications/st02corplook/corpfile.asp

The types of organizations are as follows:

<i>i</i> i <i>e</i>		
Charter	Limited Liability Partnership	Professional Limited
Company	Limited Partnership	Company
Cooperative	Limited	Registered Limited Liability
Corporation	Professional Association	Partnership
General Partnership	Partnership	Reservation
Government	Professional Company or	Sole Proprietorship
Incorporated	Corporation	Trust
Limited Company	Professional Limited	11450
Limited Liability Company	Liability Company	

For your convenience the system displays the exact number of Debtor input areas you had requested on the main screen. You may make changes to this at any time by selecting Add Additional Debtors. Should you decide not to add as many debtors as you initially thought, leave those areas blank.

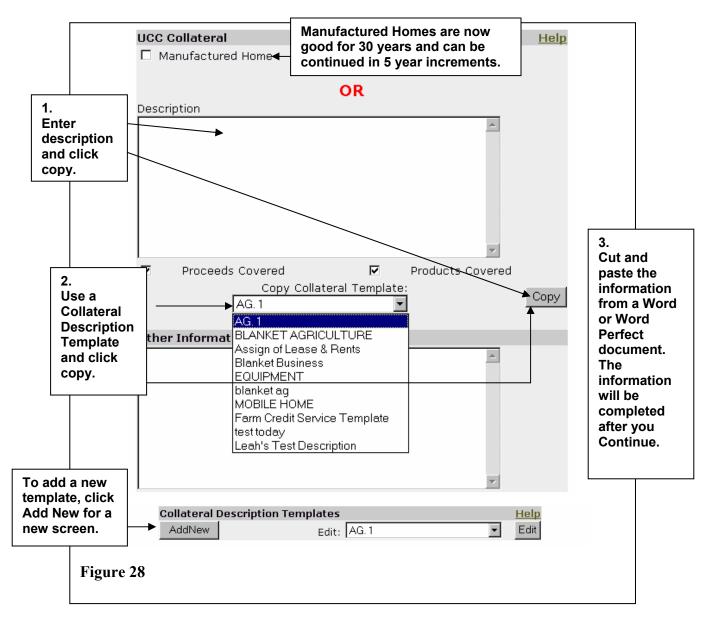
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Debtor Information continued

		Debtor Information #2					
		First Name	MI	Last Name	Suffix		
		Judy		Smith	-		
		SSN:		,			
		444 - 44 - 4444					
				OR			
You ha	ve	Organization Name					
checke							
box, so		Organization	Organizatio	n Organization			
address automa		Type:	Jurisdiction	n: ID:			
be adde		▼			Load	Org ID	
same a		TaxID:					
debtor		□ - □					
when y							
filing.	ie the	Use address from d	ebtor 1: 🔽				
9.		Mailing Address	·············				
		1					
		City	State	Zip	_		
			SD				
							Need
				Number of Ac	lditional Debto	ors 3	additional
				Add.	Additional Debt	ors	debtors?
		25					Just choose the
	Figur	e 27					number
							needed and
							click here.

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Three ways to enter a Collateral Description



1. **Use a Collateral Description Template**. See instructions on entering a Collateral Description Template. If you have a **Template**, select the description from the drop down box and click **Copy**. The screen will refresh and display the template selected. At this point you may customize the description as needed.

WARNING: Inserting a Collateral Description Template will override all information previously entered into the box. If you want to use a template and change it, you must enter the template and then make changes. See the directions below.

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- 2. **Type the full description in the text area**. When you click the **Continue** button, the information will be pasted into the description area.
- 3. Cut and paste it from Word or WordPerfect document. Highlight the desired text in the Word or WordPerfect document and hold down the Control key, then press the C key. This will copy the information into the computer's buffer. Move back to the Collateral Description area (You may use Alt, Tab. Then click once in the text area and hold down

Control A - Select All Control C - Copy Control V - Paste Alt Tab-Jump to different program

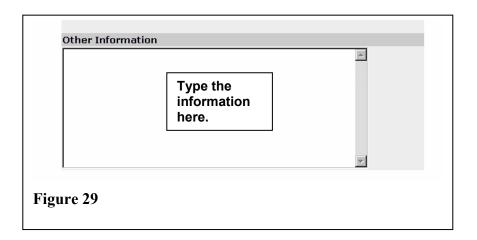
the **Control** key and press **V**. This will paste the description into the text area.

Once you have completed entering all of the information and you are ready to continue, you will click the **Continue** button at the bottom of the screen and the collateral description will be stored.

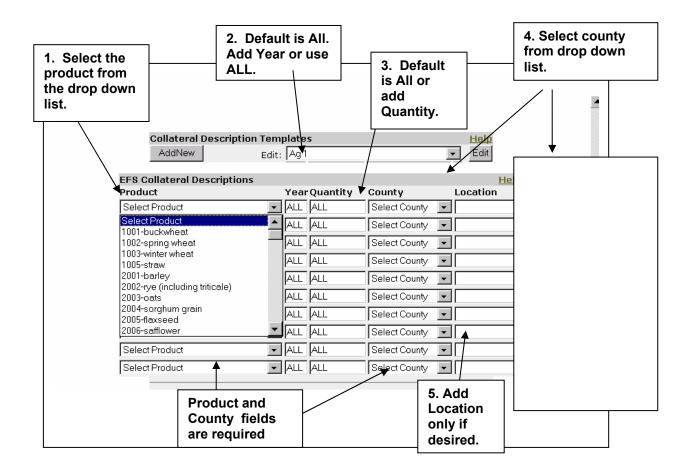


Other Information

Other Information is an area for other information that your company may require.



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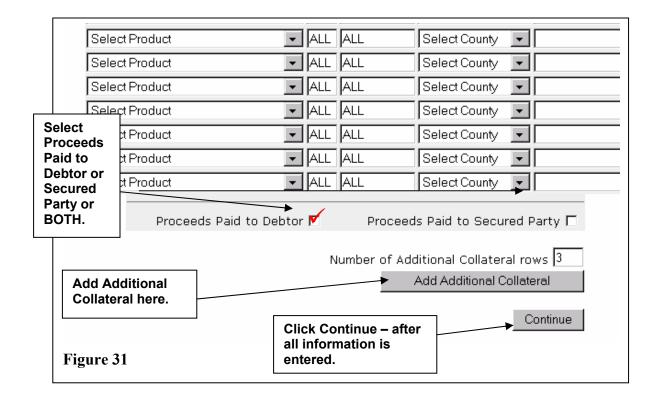


EFS Collateral Selections

To enter EFS collateral select a **Product** from the list, enter the **Year** and **Quantity**, select the from the list and enter information. Product and county are required fields. Should either be omitted, the system will display the errors it found after you click

- **Product** Crops or livestock. (required field)
- **Year** The default setting is **ALL** which covers all years. The year for a crop grown in soil is the year it is harvested or to be harvested. The year for animals is the year they are born or acquired. The year for poultry or eggs is the year they are to be sold.
- **Quantity** The default setting is **ALL**. Complete the **quantity** with the number of bushels, head of livestock or other commonly used identifier. If "quantity" is **ALL** it covers the entire product.
- **County** The **County** is the county where the farm product is produced or to be produced. In the case of **stored grain or livestock**, it is the county where the product is located. (required field)
- **Location** Collateral may be further detailed with the **Location** within the county. It is limited to 40 characters. If **Location** is left blank, the filing is for the entire product in the county.

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Add Additional Collateral

As in the Debtor area, you may **add additional collateral** if the default number of 10 items is not sufficient. To add more enter in the number box the additional number of collateral items and click the button. The screen will refresh and display the additional options for your input.

Proceeds Paid

You will also need to decide if proceeds will be paid to the debtor, to the secured party or to both. An error message will be shown if one or both of these boxes is not selected.

Once everything has been entered, click the **Continue** button. The system will check for the required fields and display a verification screen for your review.

If you receive an error message, you will need to enter the correct information on that screen and click Continue.
(DO NOT use the BACK arrow on your browser. If you do all of your information will be lost.)

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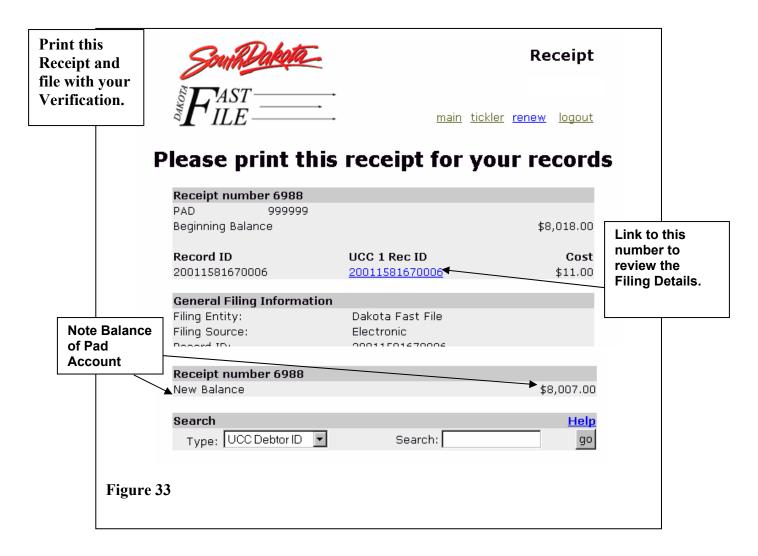
Important: Print the Verification and file it with your Receipt. This filing isn't completed until you click Submit at the bottom of page. After submitting, the Receipt will be created. You will want to print and file both documents.



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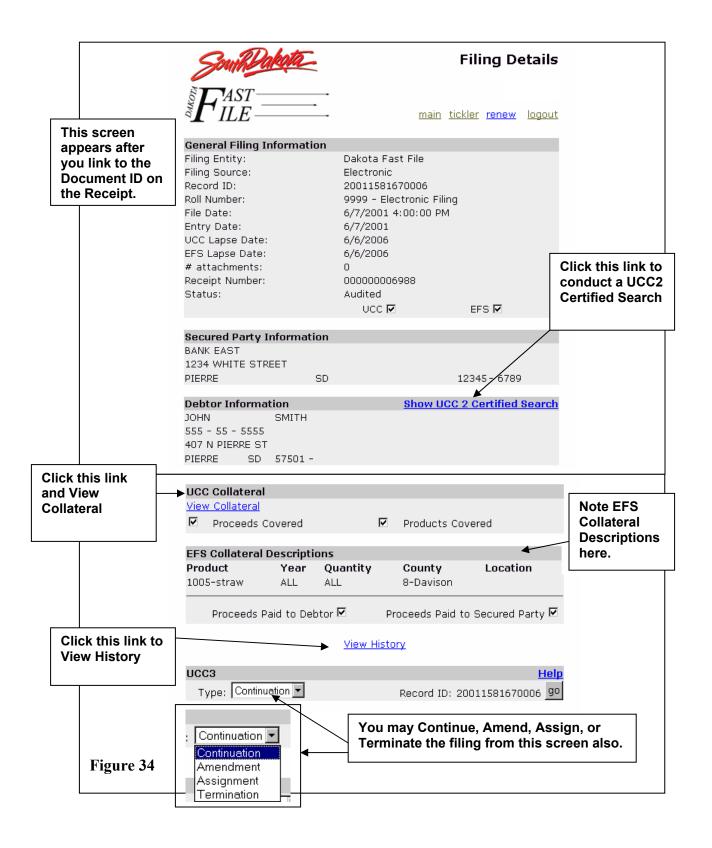
Printing the Receipt

After hitting the **Submit** button, you will see the **Receipt** as below. You will want to **print this for your records**.



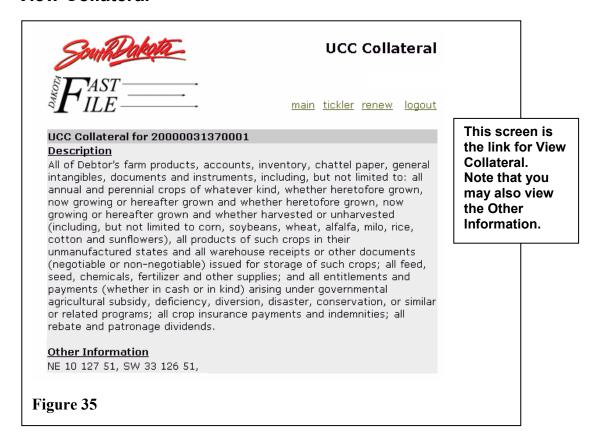
By clicking the *(blue and underlined)* <u>UCC 1 Doc ID</u> number you may access **General Filing Information** on the filed document.

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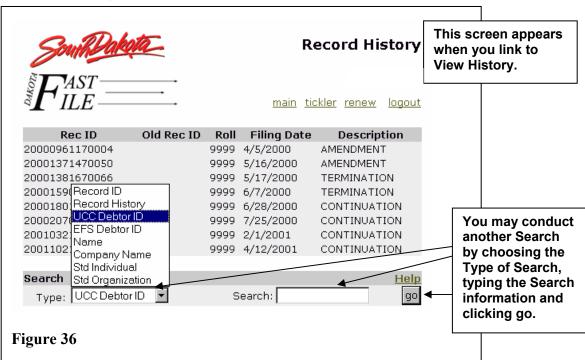


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View Collateral



View History



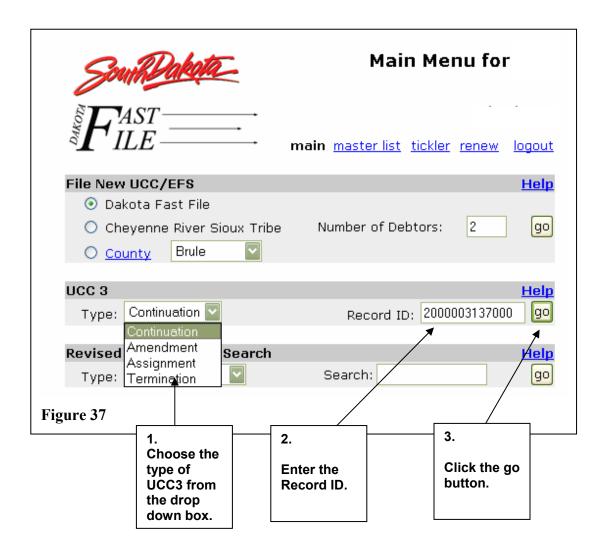
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Filing UCC3

With Dakota Fast File you may file a **Continuation**, **Amendment**, **Assignment**, **or Termination** from three areas:

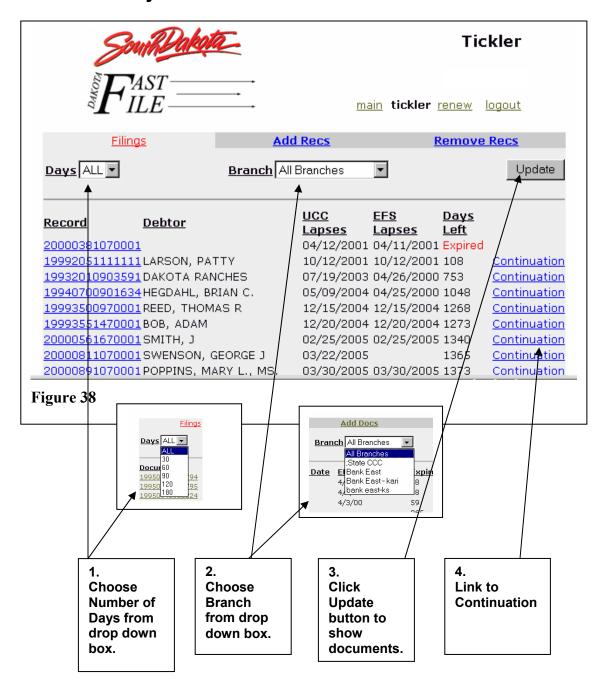
- 1. From the **Main Menu** you may choose the type of filing from the drop-down box.
- 2. From the **Tickler System** If the UCC & EFS expiration date is within 6 months a Continuation is possible. New filings from the Secretary of State's office will be added to the Tickler System every Friday. Dakota Fast File filings are automatically added upon filing.
- 3. From the **Search System**.

From the Main Menu



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From Tickler System

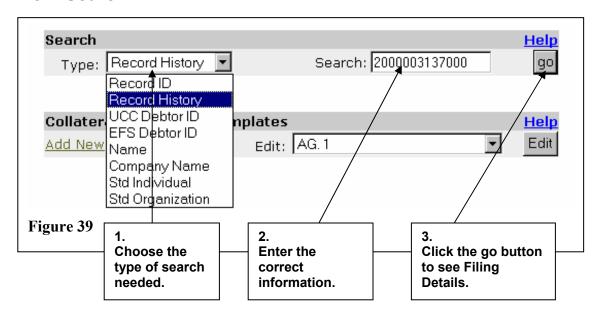


Note: New paper filings from the Secretary of State's office will be added to the Tickler System every Friday. Dakota Fast File filings are automatically added immediately upon filing.

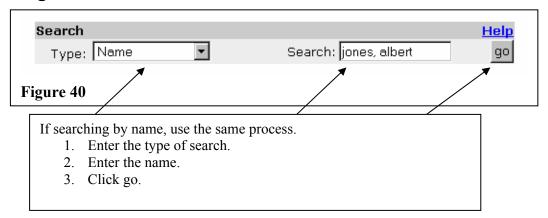
Note: You may only file Continuations - if the UCC expiration date is within 6 months.

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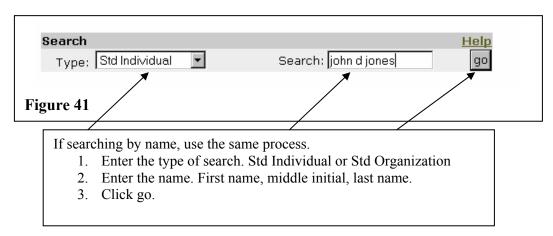
From Search



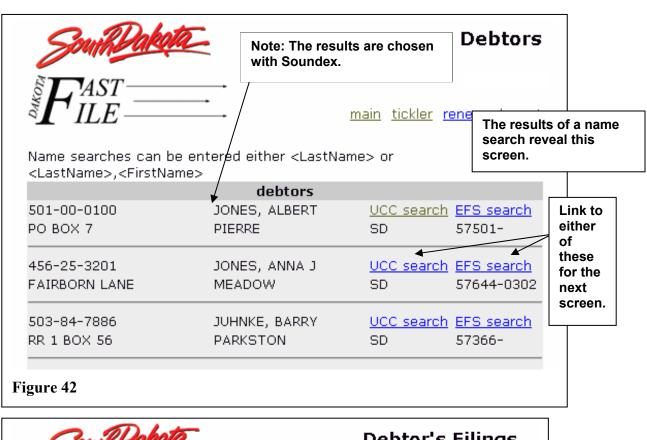
Using Soundex

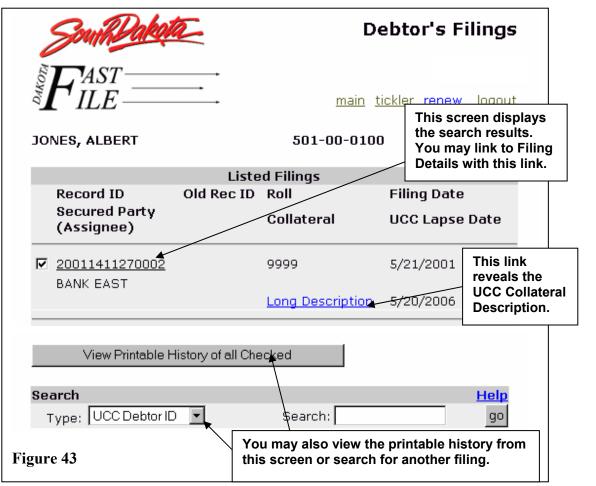


Using Standard Search Logic



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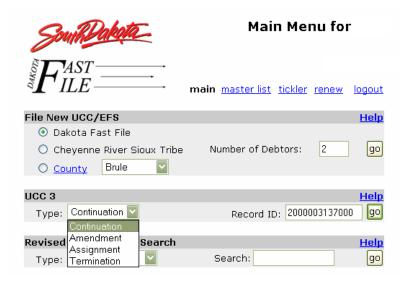




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Filing a UCC3

Filing UCC3 documents: Continuations, Amendments, Assignments, or Terminations



Whether you start the process at the Main Menu, the Tickler System or through a Search, the process is similar. You will always want to carefully review the **Filing Details** before continuing with any filing. You will always need to again click the **COUNTINUE** button at the bottom of the screen to proceed with the filing.

The process to file **Continuations** and **Terminations** are similar.

The process to file an **Amendment or Assignment** is similar to filing a UCC1.

Changes in Debtor Information

Due to changes made in Revised Article 9, debtor information may not be modified. The original information must remain on file as per 57A-9-519(f)(2). You must use the "add additional"



debtors" option on an amendment to correct or change debtor information. This action will add another indexed debtor (debtor #2 on a single debtor filing) to the filing with the current information and retain the previously indexed information as the original debtor (debtor #1) even though debtor #1 and #2 are the same person.

57A-9-519(f) The filing office shall maintain a capability:

(1) To retrieve a record by the name of the debtor and:

(A) If the filing office is described in § 57A-9-501(a)(1), by the file number assigned to the initial financing statement to which the

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record relates and the date and time that the record was filed or recorded; or

- (B) If the filing office is described in § 57A-9-501(a)(2), by the file number assigned to the initial financing statement to which the record relates; and
- (2) To associate and retrieve with one another an initial financing statement and each filed record relating to the initial financing statement.

To **remove a debtor** from a filing you must file an amendment and indicate the debtor's name to be removed in the "other information" box. The amendment would indicate that the debtor was removed from the original filing. However, the debtor's name would not be removed from the filing system as per SDCL 57A-9-519(g). You would have to check the amendment to find any changes made to the original filing.

SDCL 57A-9-519(g) The filing office may not remove a debtor's name from the index until one year after the effectiveness of a financing statement naming the debtor lapses under § 57A-9-515 with respect to all secured parties of record.

Filing an Amendment

When filing an **amendment** it is imperative to

- state whether the information is to be added or changed to correctly report the change or addition
- state correctly all code changes, if the amendment pertains to the EFS portion of the UCC filing

To release a portion of the collateral from an original filing, the collateral to be removed must be listed on an amendment. SDCL 57A-9-512

Filing an Assignment

If all of the collateral is to be assigned, list the name of the assignee and the address in the appropriate space and select "Total".

Partial assignments must be done directly through the Secretary of States office.

To assign a portion of the collateral, an assignment must be filed on paper at the Secretary of State office indicating which portion of the collateral is to be assigned and to whom. SDCL 57A-9-514

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Filing a Continuation

Both the original UCC and the EFS may be continued for another five-year period of time from the original date of filing by a **continuation**. A **continuation** statement may be filed by the Secured party within **six months before the expiration of the five-year period**.

If the UCC expiration date is not within 6 months, you may not file a continuation. You will receive an error message if the Continuation is not allowed. You will have to return to the Main Menu.

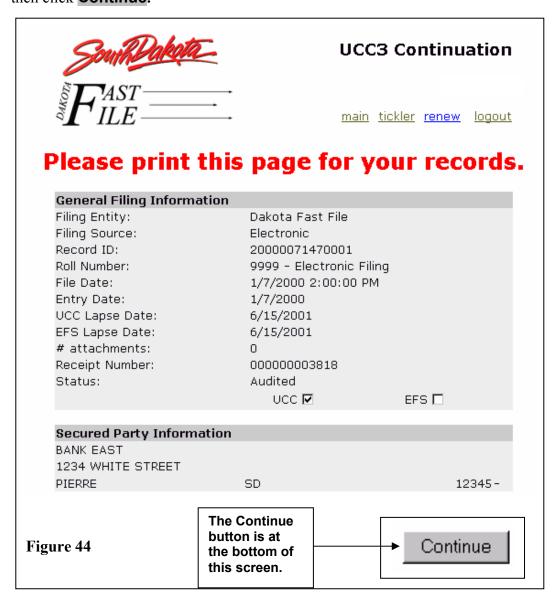
Continue

Due to the EFS and UCC lapse dates, you may not file a continuation for this record.

The UCC lapse date is more than 180 days away.

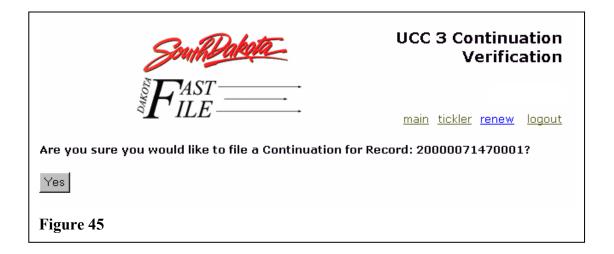
The EFS lapse date is more than 180 days away.

If you have entered a **Document ID** that may be continued you will see the UCC3 Continuation screen to print. At this point, you will want to check your information, and then click **Continue**.



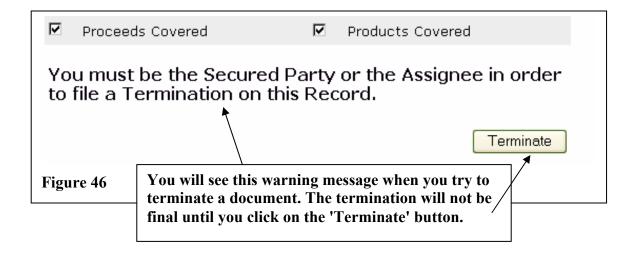
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After clicking **Continue** you will want to proofread your information in order to prevent any unwanted continuations. If you are certain you want the Continuation, you will click **Yes.**



Filing a Termination

A secured party must file a termination within one month or within 20 days following written demand by the debtor after there is no outstanding secured obligation and no commitment to make advances, incur obligations or otherwise give value. <u>SDCL 57A-9-513</u>. A termination is filed using a UCC3.



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Renew



Renew Subscription

You will renew your subscription to Dakota Fast File at this screen.

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Logout

South Date of Fixed	Please Log In			
Please Log In	Username: Password: Full Name: Log in			
Dakota Fast File Training Manual in Adobe Acrobat (Information on loading free Acrobat reader) Dakota Fast File Training Manual in Word 97				
This site requires the use of cookies. If you have trouble logging in, please make sure your browser has cookies enabled. You will be automatically logged out of the system if it is inactive for an hour for security reasons.				
This service is available from 7:00 AM to 11:59 PM Central Time Monday through Saturday.				
Figure 48				

After clicking logout

After clicking logout you will see the Log In screen as above. Users should log out of the system to prevent another user from completing a filing under their name.

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Appendix A - UCC Filing Fees

Basic Fees - Paper Filing

UCC-1/EFS	Financing Statement (One page document, one debtor)	\$20.00
UCC II	Search Request (per debtor name) Copy (per page) Certified Copy	\$20.00 \$1.00 \$10.00
UCC-3	Continuation/ Amendment/ Assignment (one debtor) Termination	\$20.00 No Charge

ADDITIONAL FEES:

Additional Debtor Information	\$2.00 per debtor index	
Attachments	\$4.00	
Mobile Homes	\$30.00	
Transmitting Utility (mortgage)	\$1.00 per page	
County Recordings (UCCI and Terminations)	\$10.00	

NOTES:

- The National Form will be accepted as standard.
- Search requests may be faxed if a prepaid account is set up or fees are submitted at time of search fax fee is \$5.00
- Expedited service is available for an additional \$20.00 per debtor name or company name
- Multiple changes may be submitted on an Amendment.
- Continuations, Amendments, Assignments & Terminations must be submitted on separate documents.
- Faxed copies of UCC-I and UCC-3 will not be accepted.

Dakota Fast File (Internet Access)

ACCESS FEES PER YEAR

	Filing On Line Searching Tickler (continuation)	\$120.00 \$120.00 \$120.00
UCC-I/EFS	Financing Statement (one debtor)	\$15.00
UCC II	Search Request	\$10.00 per debtor name
UCC-III	Continuation/ Amendment/ Assignment (one debtor) Termination	\$15.00 No Charge

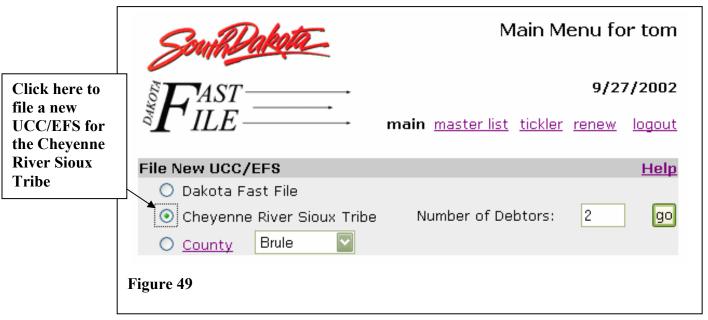
ADDITIONAL FEES:

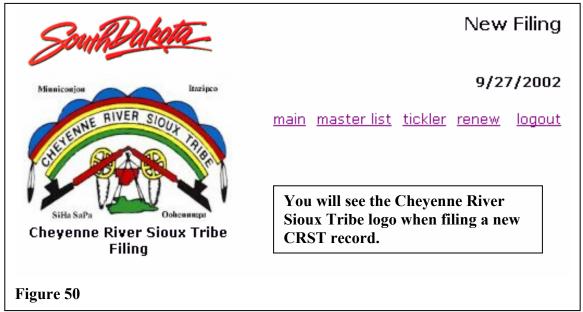
Additional Debtor Information \$2.00 per debtor index

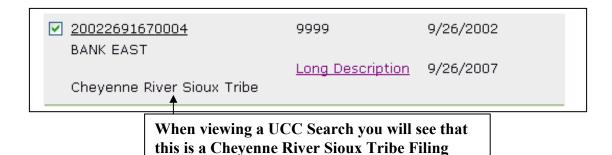
County Recordings (UCCI and Terminations) \$10.00

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Appendix B - Cheyenne River Sioux Tribe Filings







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Appendix C - Ending Noise Words

IACA List of Ending Noise Words pursuant to Rule 503.4

The following words and abbreviations indicate the existence or nature of an entity. These business endings will be ignored in a UCC search.

- Agency
- Association
- Assn
- Associates
- Assc
- Assoc
- Attorneys at Law
- Bank
- National Bank
- Business Trust
- Charter
- Chartered
- Company
- Co
- Corporation
- Corp
- Credit Union
- CU
- Federal Savings Bank
- FSB
- General Partnership
- Gen part
- GP
- Incorporated
- Inc
- Limited
- Ltd
- Ltee
- Limited Liability Company
- LC
- LLC
- Limited Liability Partnership
- LLP
- Limited Partnership
- LP
- Medical Doctors Professional Association

- MDPA
- Medical Doctors Professional Corporation
- MDPC
- National Association
- NA
- Partners
- Partnership
- Professional Association
- Prof Assn
- PA
- Professional Corporation
- Prof Corp
- PC
- Professional Limited Liability Company
- Professional Limited Liability Co
- PLLC
- Railroad
- RR
- Real Estate Investment Trust
- REIT
- Registered Limited Liability Partnership
- RLLP
- Savings Association
- SA
- Service Corporation
- SC
- Sole Proprietorship
- SP
- SPA
- Trust
- Trustee
- As Trustee

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